



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Gardner, *et al.*  
Serial Number: 09/872,868  
Filing Date: 06/01/2001

Examiner: Leffers, G.  
Art Unit: 1636  
Attorney Docket: 2004647-0002  
(Formerly CEL-002)

Title: BISTABLE GENETIC TOGGLE SWITCH

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450


Sir:

**PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136**

A three (3) month extension of time, from February 5, 2004, to and including May 5, 2004, is requested to respond to the Office Action, mailed November 5, 2003 in the above-referenced application. Please find enclosed a check in the amount of \$475.00 (in view of the small entity status of the application) to cover the fee required by 37 CFR 1.17(c).

Please charge any additional fees or credit any overpayments that may be required to our Deposit Account No. 03-1721.

Respectfully submitted,

  
Monica R. Gerber, M.D., Ph.D.  
Reg. No.: 46,724

CHOATE, HALL & STEWART  
Exchange Place  
53 State Street  
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(617) 248-5000

Dated: May 5, 2004

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**Certificate of Mailing**

I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

5-5-04 Sandra Saccoccia  
Date Signature

Sandra Saccoccia

Typed or Printed Name of person signing certificate